

COURT OF APPEALS DECIDES FOR ALLEN IN "GOING" CASE

Retrial Ordered on Verdict
Sentencing Outlaw to
Prison.

Sidna Allen, Virginia outlaw, and principal in the Hillville court house shooting, will not have to appear before circuit court of appeals in Virginia today, for a hearing on his appeal from the decision of the Greensboro, N. C., district court that sentenced him to two and a half years in the Atlanta penitentiary for perjury in a counterfeiting case.

The appeal was set for hearing today at Charlotte, but owing to the incidents of the past few weeks in Hillville, the case was anticipated, and the court of appeals reviewed the evidence on brief from the attorneys in the case. The court of appeals sent the case back to the Greensboro trial court for a retrial. This decision was made on the evidence and the record in the case, and is believed to be favorable to Allen, as the sentence of the lower court was not confirmed.

Allen was first arrested by Secret Agent Thomas in connection with a counterfeiting case. He was held not guilty and on June 13, 1911, he was tried on perjury charges brought by Agent Thomas, who alleged Allen had escaped in the dynamiting case because he intimidated the other principal.

After sentence was passed in Greensboro, Allen was released on \$5,000 bond for his appearance before the court of appeals. This bond still stands, and in this case he is simply out on bond.

The Washington police today were again requested to keep on the lookout for Sidna Allen and Wesley Edwards.

"Allen and Edwards," the cards read, "may undertake any and every kind of horseback or in wagons through the country."

**Bloodhounds Fail In
Outlaw Hunt, and Will
Be Taken to Richmond**

WYTHEVILLE, Va., April 12.—Bloodhounds will take their last scent tomorrow in the chase of Sidna Allen and Wesley Edwards, hunted outlaws of the Hillville court house homicides. The dogs, which have proven worthless so far in the mountain hunt, will be taken back to Richmond Sunday after one more attempt to run down the hunted men. Many mountaineers believe Allen and Edwards have eluded the posse, left the mountains, and are traveling to the west, putting many miles between themselves and their pursuers.

The prosecution has won and lost in its preliminary sparring to punish Floyd Allen, Victor Allen, and Bud Marion, the three participants of the tragedy under arrest. Judge Staples has ruled that each prisoner must be tried separately, despite a plea of the prosecution to try all three together.

The date set for beginning of the trials is April 23. They will be held in the very court room where the defendants are accused of killing five persons. Floyd Allen will be tried first, then Victor Allen and Bud Marion.

Relatives of the prisoners are now in possession of their modest homes and property. Attachments of their alleged victims' families, under the Virginia law, have been set aside. "Poor man's" exemptions to the families of Sidna Allen and Wesley Edwards have also been given their families, each being given bare necessities of life, including a Bible, a cow, a burial plot, two horses and farming implements.

**Students to Compete
In Oratorical Contest**

Students of St. John's College will compete this evening in the annual oratorical contest for the Moran gold medal. Those entered are Leo E. Madigan, F. H. Fannon, James J. Lynch, T. Lionel Tansley, Jeremiah A. O'Leary, Adolph J. Schaffert, William T. Becker, William A. O'Dea, Bernard J. Boudren, Vincent S. Peck, David E. Horrigan, and John P. Daly.

The judges are the Rev. Edward L. Hickey, P. T. Moran, Dr. M. d'Arcy Magee, the Rev. Brother Abner, P. S. C. Dr. Johnson Elliot, Edward J. Walsh, and Dr. William B. Daly.

The reception committee includes E. J. Stroke, Chesterfield Cole, T. J. Horrigan, Merrill E. Lynch, and John J. Rhoades.

REBELS EXECUTED WITHOUT RIGHT OF TRIAL IN MEXICO

Treated As Outlaws, Not As
Prisoners of
War.

Deciding to regard the rebels as outlaws deserving death rather than the rights of prisoners of war, the federal forces in Mexico, acting, it is said, under President Madero's orders, are executing prisoners without the right of trial.

Apparent substantiation of this new military program is contained in a message today to the State Department of the battle of Jolita. This city, it would appear, has changed hands rapidly within the last few days.

First taken by the federalists in an engagement in which 500 liberals were reported slain, it was later retaken by the liberals. As the result of a third engagement, it is once more in the hands of the federalists.

The dispatch to the State Department says that after their last victory the federalists executed several of the Zapatistas. A naive announcement by the State Department says that, as a result, less trouble is reported in the South of Mexico.

Many other indications exist that desperation has taken the place of civilized warfare in the Mexican republic. On the afternoon of April 10 a north-bound train on the Southern Pacific was fired on thirty miles south of Guaymas in the state of Sonora, and one person was killed and two wounded.

The dispatch does not tell if the victims were Americans. The Southern Pacific passing through Guaymas goes down the west coast of Mexico and penetrates an important territory.

On the following morning a south-bound train was wrecked at the same place, and two persons were killed and several injured.

The depredations along the line have been so insistent and unpunishable that the railroad has been closed south of San Blas, and there is no telegraph communication whatever between Nogales and Mazatlan.

**Will Ask Uncle Sam
To Provide Funds
To Prevent Floods**

Senator Burton to Present
Bill for Waterways
Commission.

"Flood policeman" is the new title to be given Uncle Sam by the National Waterways Commission, it was learned today.

Enunciation of a new general policy of the Government, committing it to prevent disastrous river floods by appropriations from the Treasury, is planned by the commission. Senator Burton of Ohio, chairman of the commission, is preparing a bill to outline the new Federal policy.

Now the Government's policy is to appropriate money only for navigation improvements to rivers and harbors. The Waterways Commission plans to extend Government policies to include prevention of floods.

Ravages of the Mississippi river caused the commission to favor extension of national financial aid to prevention of floods as well as navigation improvement. Special dispensation must now be made by Congress to obtain money to fight floods.

Hearings will be held by the commission and persons in possession made of rivers which annually flood vast areas of rich land.

**Today Is Birthday
Of Senator Luke Lea**

Senator Luke Lea, the youngest member of the United States Senate, is thirty-three years old today. He is a graduate of the University of the South and of the Columbia University Law School. He was elected to the Senate January 22, 1911.

ARMY FLIERS PLAN TO MAKE FLIGHTS THIS AFTERNOON

Number of New Men to Re-
ceive Instructions From
Old Fliers.

Capt. Charles De Forest, Chandler, commanding officer of the army aviation school, announced today that the flying season would be opened at College Park, Md., this afternoon at 4 o'clock.

The nine officers of the school, including Captain Chandler, have been assigned to manipulate certain machines, as follows: Captain Chandler, the Wright; Capt. Paul Beck, the Curtiss; the Wright; Second Lieut. Thomas DeWitt Milling, the Wright and the Curtiss; First Lieut. Roy C. Kirtland, the Wright; Second Lieut. Frank M. Kennedy, the Curtiss; Second Lieut. Henry H. Arnold, the Wright and Burgess-Wright; First Lieut. Harold Geiger, a new man, the Curtiss; a Lieut. Leighton W. Hazen, Jr., a new man, the Wright; and First Lieut. Harry Graham, a new man, the Wright and Burgess-Wright. Col. C. B. Windover, of Columbus, Ohio, member of the National Guard of that State, arrives at College Park Monday, and receives instructions in flying under First Lieut. Roy C. Kirtland in the Wright machine.

Of the new men Lieutenant Hazen, a new man, the Wright; and Lieutenant Graham, a new man, the Wright and Burgess-Wright. Col. C. B. Windover, of Columbus, Ohio, member of the National Guard of that State, arrives at College Park Monday, and receives instructions in flying under First Lieut. Roy C. Kirtland in the Wright machine.

The first few weeks of the season will be devoted to the instruction of the new men. As soon as this is accomplished, long cross country flights will be attempted and important experiments conducted.

**Additional Prizes
Offered for Dog
Show Exhibitors**

Breeders' Clubs and Fan-
ciers Donate Trophies
for Special Classes.

News of a number of additional special prizes, not included in the premium list distributed by the Washington Kennel Club for its show, which will open April 24 at the Arcade, has been brought to Washington by George F. Foley, of Lansdowne, Pa., superintendent of the show, who reached here yesterday.

The Irish Setter Club of America has offered two cups for dogs of that breed; the English Toy Spaniel Club of America has offered three medals and two challenge cups, and the Spaniel Breeders' Club has offered two cups.

With the close of the entries near, the office of the club in the Evans building is today being besieged by local dog owners, and scores of entries are being received from out-of-town. The fact that there are offered more than 200 special prizes, including many handsome pieces of silver, besides the regular money prizes, has interested many dog owners.

C. H. S. Johnson has offered a handsome cup for the best St. Bernard in the show, of either sex, and Mrs. D. K. Shute has offered a bon-bon dish for the winner of the opposite sex.

Body Sent Away.

The body of William Thornton, who was found dead Wednesday morning at the home of a friend, Benjamin Cooper, 1240 Fourteenth street northwest, was sent to Staunton, last evening.

Funeral services and interment will be in Staunton this afternoon. A son of Mr. Thornton, B. Thornton, a student in the military academy at Staunton, who came to Washington to arrange for the funeral, accompanied the body.

BENNING TRACK TO BE SCENE OF RACING ONCE MORE

After Five Years' Quietude
a Two Days' Meet Is to
Be Held.

After five years' quietude the Benning race track is to have horse racing once more. A two days' meet will be held May 15 and 16 by the Washington Riding and Hunt Club, the organization formed by the amalgamation of the Washington Riding Club and the Washington Hunt Club.

The race meet will arouse the interest of horsemen to a degree only less than that achieved by the National Capital Horse Show, May 1 to 4, and many of the horses brought here for the horse show will be entered in the races at Benning. The race meet is to have some unusual features, one of them being a fourteen-mile service test for army horses, the first event of its nature ever held in this country, army officers say.

Just as in the National Capital show some handsome plate is offered to the purses or prize money. On the second day of the Benning meet the Steven B. Elkins family will be raced for. The contest will be for four-year-olds and upward, for a purse of \$500 besides the chance at the cup. The cup must be won three times, though not necessarily consecutively, to attain final possession.

The idea of the winning horse will receive a replica of the cup each year the race is run.

Seven purse races will be run each of the two days of the meet and each day there will be a steeplechase for army horses, the horses "to be the property unconditionally of the Government or of officers of the U. S. army or navy." Cups are offered for these races by the Army and Navy Club, the Metropolitan Club, and the Chevy Chase Club.

The "fourteen mile service test" for army horses will be held the second day of the meet. This novel contest will not be strictly speaking a race, but a determination of the stamina and jumping qualities of army horses, of immense interest not only to officers, but to breeders, who will be the officers of the army or navy in uniform, will be required to carry 180 pounds and to put their steeds through the following conditions: First, a twelve-mile ride, with a time limit of one and one-half hours, of which three miles shall be on a road with nine obstacles; the other nine miles to be over roads or trails; second, two miles on turf and track, with a time limit of ten minutes; third, a mile over a series of jumps with a credit of 100 points and deductions will be made for knocking down parts of obstacles, for refusal of any obstacles including ditches, and for fall of horse or rider or both.

The meeting will have the official sanction of the National Hunt Association.

Concert for the Blind.

Miss Marie Belt, pianist; Miss Helen Belt, violinist; and Miss Mabel Louise Bentler, soprano, will give a recital in the reading room of the Library of Congress tonight at 8 o'clock for the benefit of the blind. At least fifty blind persons are expected to attend.

**It Banishes
Catarrh**

Getting rid of catarrh is an easy matter if you will only use a common sense method.

Germs cause catarrh. You know that, and you also know that in order to end catarrh you must destroy the germs. Sprays and douches will not kill the germs. Liquid cannot penetrate into the folds and crevices of the mucous membrane of the nose and throat. Neither can it reach the lungs or even the tubes that lead to the lungs.

In every HYOMEI outfit, which is sold by druggists everywhere, is a bottle of antiseptic liquid that will kill catarrh germs.

Pour a few drops of this liquid into the little hard rubber inhaler which comes with the outfit and breathe this now antiseptic vaporized air over the membrane of the nose and throat infested with catarrh germs.

It's pleasant, soothing, and healing. It is vaporized air, and it is really the only remedy known that can reach and destroy catarrh germs and end the misery and humiliation that catarrh causes. Complete outfit \$1.00. Extra bottles of HYOMEI if needed cost 50 cents. Druggists everywhere sell HYOMEI. It is guaranteed not to contain cocaine, opium, or other habit forming drugs.

Jas. O'Donnell and Henry Evans guarantee it.

**YOU EARN BY THE WEEK
PAY US BY THE WEEK**

Spring Wear

Men's, Women's, Boys' and Children's Clothing, Fashionable Millinery and Gents' Furnishings in the Latest Spring Fashions and the highest of Quality. A big, complete stock to select from.

My way is the fair and square way of doing business. I sell for lower than many of the cash stores and you have the satisfaction of wearing the clothes while paying for them.

Your Credit is Good With
D. ROSENTHAL
900 9th St. N. W.
Cor. 9th and Eye Sts. N. W.
Open Until 9 P. M.

BANKER MORSE IS TAKING LAST FLING AT JOY OF LIVING

Doomed to Death By Special-
ists, the American Is Liv-
ing Gay Life.

FLORENCE, Italy, April 12.—Doomed to death by the specialists of Florence, Charles W. Morse, the American ex-cit banker, has begun his final fling at life. The half score of eminent specialists who examined the American financier here were convinced that he cannot live six months, and the banker has planned a gay, luxurious tour of southern Europe as his last earthly pleasure.

Instead of retiring to a sanatorium or taking to the health resorts of the Riviera, when the Florence physicians passed sentence upon him, Morse took the bright life of the Italian hotels, refused to succumb to the ravages of the numerous ailments which afflict him, and made the pursuit of death a merely incidental feature of his European travels.

Americans in Italy were unable to account for this until today, when it became known that the Florence specialists had warned Morse that he had but six months to live. Now they are convinced that the banker, sure of but a brief respite from death, is determined to "make the most of it."

When the spring is a little more advanced Morse will tour Germany. There the specialists have urged him to settle down at the baths at Carlsbad and by quiet treatment endeavor to prolong his life. They have informed him that he is suffering from Bright's disease, arterialclerosis, and several minor ailments, which they believe the Carlsbad treatment would benefit for a time.

**DEMONSTRATION PRICES ON
THE ARNOLD MASSAGE VIBRATOR
END APRIL 17th**

Get One Now—While Low Prices Prevail

So well known has this wonderful curative medium become to Washington through its use in a legion of homes—that the demonstration now moves on to another large city.

The special low prices are to end with the closing of the public demonstration, but until then they are offered well below their true value.

They have been proven so efficacious in chronic and acute ailments, and of such remarkable value as a personal beautifier that one can afford to miss the opportunity to secure the Arnold Vibrator while the low prices hold.

**Demonstration Ends April 17th
HENRY EVANS, Inc. Wholesale & Retail Druggist
1006 F Street N. W.**

No Operation on Eyes Of Joseph H. Choate

NEW YORK, April 12.—Friends of Joseph H. Choate, one time ambassador to England, were alarmed last night by a report current at the Union League Club reception to President Taft that Mr. Choate's absence was due to an operation that had been performed yesterday on one of his eyes.

At Mr. Choate's residence it was denied that any operation had been performed or was contemplated. Mr. Choate has been suffering for several days from a slight inflammation of the eyelids, but has been able to walk every day from his home, at 8 East Sixty-third street, to the residence of his physician, Dr. Wilbur B. Marple, for treatment. It was said the inflammation was due to strain from constant reading, but that Mr. Choate expected to be at his office by next Monday.

**Milady's Toilet Table
By Miss D. M'ILLIE**

Many women whose upper lips and cheeks are free from that downy growth that humiliates some women feel embarrassed wearing short sleeves, because of hair on the forearms. Superfluous hairs are easily and quickly removed by applying delicate paste. Mix enough powdered talc with water to cover the hairy surface; apply, and after two or three minutes rub off with the skin, and the hairs will be gone.

Nine times out of ten, when a woman looks old before her time she has neglected her complexion. Dissolve in a half-pint of witch hazel an original package of Mayatone, and gently rub a little on face, neck and arms, and you will be delighted with results. Use this daily instead of powder or other cosmetic and the skin will be smooth, soft, and satiny. Mayatone preserves and restores youthful loveliness of skin. Beautifully lustrous, glossy and soft. To let table is complete without a jar of Mother's Salve. It is a sovereign remedy for chaps, cold sores, pimples, eczema, and skin eruptions. It heals cuts, burns, scalds, and long-standing sores. It is antiseptic as well as healing and lessens danger of blood poisoning.

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THE ARNOLD MASSAGE VIBRATOR
END APRIL 17th**

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So well known has this wonderful curative medium become to Washington through its use in a legion of homes—that the demonstration now moves on to another large city.

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HENRY EVANS, Inc. Wholesale & Retail Druggist
1006 F Street N. W.**

RAILROADS

**The Pleasant Way to
California**

San Francisco Overland Limited
leaves Chicago daily at 8.30 P. M.
arrives San Francisco at 2.10 P. M. third day

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Standard Route of the West
Automatic Electric Block Safety Signals
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EXCURSIONS

**RACES, NORFOLK, VA.
APRIL 8-26
JAMESTOWN JOCKEY CLUB**

Steamers Leave Seventh Street Wharf
Daily 6:45 P. M.
Special Saturday to Monday
\$3.50 Round Trip

Old Point Comfort—Norfolk
City Ticket Office, Bond Building,
720 14th St. N. W., Phone Main 1520.
Norfolk & Washington Steamboat Company

Steamer Charles Macalester to Mt. Vernon at 10 a. m. Leaving at 1:45 p. m. Round Trip, including admission to grounds & meals.

STEAMSHIPS
Merchants and Miners Transportation Co.
"Spring Sea Trips"
BALTIMORE
to
Boston-Providence
Savannah-Jacksonville

Through tickets to Northern and Southern points. Fine steamers; excellent service; low fares. Wireless telegraph. Send for booklet.
B. & O. R. R. Office and 617 14th St. N. W.
W. F. TURNER, P. T. M., Baltimore, Md.

**THE THRIFTY
HOUSEWIFE.**
will do well to consult daily the numerous and unusual bargains offered in the Times "For Sale-Miscellaneous" Column on the West Ad page.

AMUSEMENTS BELASCO TONIGHT AT 8.15

Mat. Mat. and Night, 8.15 to 9.15.
Mons. Rhubert Presents
Fritzi Scheff

In Strasser Famous Comic Opera,
"NIGHT BIRDS" (Ole Fiedermaun).
NEXT WEEK—SEATS NOW.
THE BUTTERFIELD PLAYERS
Direction of EVERETT BUTTERFIELD.
Opening Play,
"BROWN OF HARVARD"

Prices: Nights, Orch. and Mezz. 75c and 50c; entire Balcony, 25c; Wed. and Sat. Mat., 25c.

**National TONIGHT AT 8.15
Cohan and Harris Present
RAYMOND HITCHCOCK
THE RED WIDOW**

Original Company 100 People and Large Orchestra.
Next Week Seats Selling.
Henry B. Harris Presents
FRANK MCINTYRE
In the Successful Laugh Play
SNOBS
By George Iremonger Howard.

NATIONAL TODAY
Under the Distinguished Patronage of
HIS MAJESTY KING GEORGE V.
and the Entire
London Symphony
Orchestra.

PROGRAM:
Overture, "Othello".....Weber
Symphony in C Minor, Op. 6.....Beethoven
Overture, "Flying Dutchman".....Wagner
Symphonic Poem.....Richard Strauss
Hungarian Rhapsody in F, No. 1.....Liszt
Seats 1.50, E. 43, at P. F. Droop & Sons Co.

**COLUMBIA TONIGHT AT 8.15
MATINEES AT 2.15
THURSDAYS AND SATURDAYS**

The Columbia Players
Edwin Milton
Royce's Romantic
Comedy Drama
"THE SQUAW
MAN" 25c

BELASCO'S "THE LILY"

**ACADEMY MATS TUES.
THURS. & SAT.
Evenings, 8.15, 8.30, 8.45. Mat., All Seats, 25c.
Henry B. Harris' Own Company and Production,
The
TRAVELING SALESMAN**

Shen Camp as "Rob Blake."
FIRST TIME AT OUR BARGAIN PRICES.
Next Week—THE GIRL IN THE TAXI.

**Chase's POLITE
VAUDEVILLE**

Daily Matinee, 2.15. Evenings, 8.15, 8.30, & 8.45.
Last Week Polite Vaudeville in This Theater
Joseph Hart Presents Geo. V. Hottel's "MELIN
LIEBCHEN" (My Loved One). "The Australian Wood Choppers," T. Roy Barnes and
Beatie Crawford. "Lonesome Cowboy," Capt.
Gruber & Mile. Adeline and "Minnie." Correll
& Gillette. "The Majestic Trio." Photogram.
Next Season Opens August 19 in Chase's New
Theater. The Largest in Washington, the
Most Beautiful in America, and the Richest
in Appointments in the World. With Bills
Surpassing the \$2 Attractions. Advance Sale
Begins August 5.

Next Week—The Pol Players will
present Belasco's masterpiece, "No-
body's Widow." Seats now selling.

**GAYETY
BIG BANNER SHOW
WRESTLING
TONIGHT, APRIL 12
JOE TURNER**

Middleweight Champion of the World.
JOHN KILONIS
Greek Middleweight Champion.
Final Match.
Next Week—Clark's Runaway Girls.

**SMOKE IF
YOU LIKE Lyceum DAILY**

The TIGER LILIES

Extra added attraction Friday and
Saturday. The Lyceum will present
"Playgraph" will reproduce each
play of the Nationals at Philadelphia
exactly as played, at the exact time,
by direct wire. No advance in prices.
Next Week—MISS NEW YORK, JR.

**IMPERIAL THEATER
8TH, NEAR E**

Home of the Cabaret Features
Another "SERGEANT KITTY"
Hit
IMPERIAL MUSICAL COMEDY
STOCK CO.
Personal Direction Mr. Louis J. Morton.
COMPANY OF 40 ARTISTS
TONIGHT AT 8.30.
Prices, 25c, 35c, & 50c; Mat., 25c
& 50c.
Next Week—A Knight for a Day

**CASINO
Tonight—All New Amateurs
ALSO
MAY WARD
and
6-OTHERS—6**

**MAT. & MAJESTIC 10
FAMILY VAUDEVILLE 10.15 P. M.**

"A HOT TIME IN ROME"
6 Acts—Orchestra—Photo Play.

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Must Go to
Great Falls**

MAGNIFICENT SCENERY.
GOOD MEALS.
Take Cars at 36th and M Sts. N. W.
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**ARCADE UNSURPASSED
Amusement Palace
Fourteenth Street and Park Road.
Auditorium, Roller Skating Rink, Bowling
Alley, Motion Picture Play Theater, Billiard
Parlor, Cafe, etc.
For This Week—By Special Request
ALICE TEDDY.
The Bear that skates on roller skates, at 4
in the afternoon; 9 at night.**

**DANCING NITE RIFES ARMY, every
Wed. and Sat. eve.
Continuous dancing 8.30 to 12. Two orchestras.**

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**"Golden Sunshine-
Golden Pie-crust"**

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The old-fashioned idea that only a good strong stomach can digest pie-crust has been exploded. It's simply up to the kind of pie-crust. Lard-soaked pies are hard to digest, but a Cottolene pie, being free from hog fat and grease, is light, flaky and easy to digest. It won't haunt your stomach for hours after. Eat all the pie you want if made with Cottolene, the economical shortening.

Cottolene is made from pure vegetable oils, and is
"Nature's Gift from the Sunny South"

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